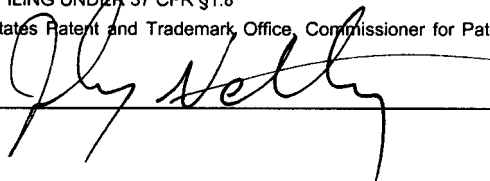


CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

This correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: January 14, 2009 Name: John F. Nethery, Reg. No. 42,928 Signature: _____



Patent
Our Case No. 10022-397

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
FANO et al.)	Examiner: DEANE Jr, William J.
)	
Serial No.: 10/663,592)	Group Art Unit: 2614
)	
Filed: September 15, 2003)	Confirmation Number: 3285
)	
For: REMOTE MEDIA CALL)	
CENTER)	

**PETITION UNDER 37 CFR § 1.182
TO ACCEPT AS TIMELY FILED
A RESCISSION OF PREVIOUS NONPUBLICATION REQUEST**

ATTN: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.182, Assignee petitions the United States Patent and Trademark Office to:

- 1) accept as timely filed, under 35 U.S.C. §122(b)(2)(B)(iii), a previously filed Rescission of Previous Non-Publication Request with Notice of Foreign Filing ("Rescission"); and

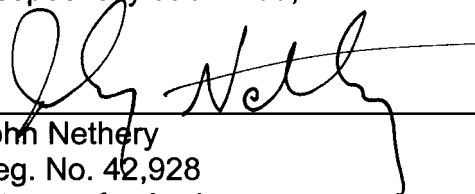
2) provide written confirmation to the Assignee that the Rescission is considered timely filed, with a filing date of August 24, 2004.

Supporting reasoning, explanation, and evidence are given in the 37 CFR 1.8(B) And MPEP §512 (IV) Notification and accompanying Exhibits filed on 13 October 2008 ("Notification"). The Notification is attached as Exhibit 1. Despite the request in the Notification, no response from the Patent Office has been received that confirms that the Rescission is considered timely filed. Furthermore, communications post filing of the Notification with both the Office of Data Management and the Office of Petitions have resulted in Patent Office personnel indicating that the Patent Office will take no steps with the Notification other than to make arrangements to publish the application.

Applicants submit herewith the required fee under 37 CFR § 1.17(f).

Dated: January 14, 2009

Respectfully submitted,



John Nethery
Reg. No. 42,928
Attorney for Assignee

BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

EXHIBIT 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Fano et al.)	
)	
Serial No. 10/663,592)	37 CFR 1.8(b) AND
)	MPEP §512 (IV)
Filing Date: September 15, 2003)	NOTIFICATION
)	
For: Remote Media Call Center)	

**37 CFR 1.8(B) AND MPEP §512 (IV) NOTIFICATION
INCLUDING DUPLICATE COPY OF
RESCISSION OF PREVIOUS NON-PUBLICATION REQUEST AND
NOTICE OF FOREIGN FILING**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Under 37 CFR 1.8(b) and MPEP §512 (IV), Assignee provides this notification to the U.S. Patent and Trademark Office ("USPTO") of a previous mailing of a Rescission of Previous Non-Publication Request with Notice of Foreign Filing ("Rescission") that the USPTO does not appear to have received. In connection with this notification, the Assignee hereby requests confirmation from the USPTO that the Rescission is considered timely filed under 35 U.S.C. §122(b)(2)(B)(iii) and requests publication of the application under 35 U.S.C. §122(b)(2)(B)(iv).

In support of this notification, the Assignee supplies an additional copy of the Rescission as Exhibit B. In further support of this notification, the undersigned provides a statement, as follows:

Statement

1. The undersigned signed a certificate of mailing complying with 37 CFR 1.8(a) on a transmittal letter ("Transmittal") for the Rescission on August 24, 2004. The Transmittal is attached as Exhibit A.

2. The undersigned signed a certificate of mailing complying with 37 CFR 1.8(a) on the Rescission itself on August 24, 2004. The Rescission is attached as Exhibit B. The Rescission is a USPTO PTO/SB/36 form providing for both rescission of a prior non-publication request, and notice of foreign filing.

3. Our internal record ("Record Card") for this application shows that the Transmittal, Rescission, and a Return Receipt Post Card ("Documents") were delivered to our docketing department as usual for mailing to the USPTO. A copy of the Record Card is attached as Exhibit C.

4. The Record Card is initialed by docketing personnel in the upper right hand corner. The initials indicate that docketing personnel confirmed that the Documents listed on the Record Card were present and included in an envelope mailed to the USPTO on August 24, 2004, consistent with the certificate of mailing on the Transmittal and on the Rescission.

5. The facts noted above evidence prior timely mailing of the Documents to the USPTO.

6. The undersigned has submitted this Statement promptly after becoming aware, as a result of reviewing the file in light of now active prosecution, that the USPTO did not publish this application, and after verifying that there is no record of having received from the USPTO a stamped Return Receipt Post Card and verifying that Private PAIR shows no receipt of the Rescission.

7. The earliest filing date of an international application based on this application, for an invention disclosed in this application, is September 15, 2004.

8. The facts noted above in paragraphs 1-4 establish mailing of the Rescission on August 24, 2004, prior to the earliest international filing noted above in paragraph 7. The Rescission was therefore timely filed in compliance with 35 U.S.C. §122(b)(2)(B)(iii), which requires notification to

the USPTO of international filings less than 45 days after the date of international filing.

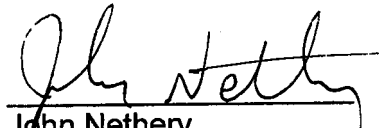
Actions Requested

1. Assignee hereby requests confirmation from the USPTO that the Rescission is considered timely filed under 35 U.S.C. §122(b)(2)(B)(iii).
2. Assignee hereby requests acceptance and entry into the record of the duplicate copy of the Rescission.
3. Assignee hereby requests publication of the application in accordance with 35 U.S.C. §122(b)(2)(B)(iv).

Closing Remarks

The Commissioner is invited to contact the undersigned attorney for the Assignee via telephone if the Commissioner has any questions, comments, or concerns, or if a telephone conference would otherwise expedite the review of this notification.

Respectfully submitted,


John Nethery
Registration No. 42,928
Attorney for Assignee

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

EXHIBIT A

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8 Date of deposit with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on: <u>August 24, 2004</u> Name: <u>John F. Nethery</u> Signature: <u>[Signature]</u>	
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**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **ANDREW E. FANO ET AL.**
 Appln. No.: **10/663,592**
 Filed: **September 15, 2003**
 For: **REMOTE MEDIA CALL CENTER**
 Attorney Docket No: **10022/397**

Examiner: Not Assigned
 Art Unit: 3622

Mail Stop PGPUB
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Rescission of Previous Nonpublication Request 35 U.S.C. 122(b)(2)(B)(ii) and, if applicable, Notice of Foreign Filing 35 U.S.C. 122(b)(2)(B)(iii).
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☒ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

24-AUG-2004
 Date

[Signature]
 John F. Nethery (Reg. No. 42,928)

EXHIBIT B

**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)
AND, IF APPLICABLE,
NOTICE OF FOREIGN FILING
(35 U.S.C. 122(b)(2)(B)(iii))**

Send completed form to:
Mail Stop PG Pub
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 305-8568

Application Number	10/663,592
Filing Date	September 15, 2003
First Named Inventor	ANDREW E. FANO ET AL.
Title	REMOTE MEDIA CALL CENTER
Atty Docket Number	10022/397
Group Art Unit	3622
Examiner	Not Assigned

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

24 - AUG - 2004

Date


Signature

John F. Nethery, Reg. No. 42,928

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

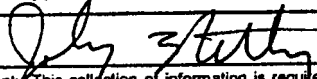
If information or assistance is needed in completing this form, please contact the Pre-Grant Publication Division at (703) 605-4283 or by e-mail at PGPub@USPTO.gov.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Mail Stop PG Pub, Alexandria, VA 22313, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) John F. Nethery, Reg. No. 48,928

Signature



Date

24 - AUG - 2004

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EXHIBIT C

TO DOCKET CLERK

CHECKED

PTO ENVELOPE

DIARY/COMPUTER

WORKING CARD

NOTICE OF MAILING TO PATENT OFFICE

Applicant: ANDREW E. FANO ET AL.

Serial No.: 10/663,592

Client/Matter: 10022/397

Items Mailed: Transmitted, Recession of Previous Nonpublication
Request 35 U.S.C. 122(b)(2)(B)(ii), and, if applicable, Notice of Foreign
Filing 35 U.S.C. 122(b)(2)(B)(iii), and return post card.

Date of Mailing: August 24, 2004

APPLICANT

CLIENT/MATTER NO.

ITEM(S) MAILED

DATE DUE

DATE OF MAILING

CHECK IF EXPRESS MAIL ☐ Express Mail Label Number

MEMO TO

SECY

INTL

JFO/dm

ATTORNEY/SECRETARY